



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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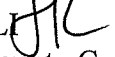
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September 23, 2009

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TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTL   
Senior Assistant County Counsel

RE: **Renee Hurtado, et al. v. County of Los Angeles**  
**Los Angeles Superior Court Case No. TC 021 716**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Renee Hurtado, et al. v. County of Los Angeles, Los Angeles Superior Court Case No. TC 021 716, in the amount of \$305,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical negligence/wrongful death lawsuit arises from treatment received by a patient while hospitalized at the Harbor/UCLA Medical Center.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Renee Hurtado, Andrea Hurtado, Elana Hurtado, Fanny Hurtado, Joel Hurtado and Diana Hurtado v. County of Los Angeles
CASE NUMBER	TC 021716
COURT	Los Angeles Superior Court
DATE FILED	June 3, 2008
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$305,000
ATTORNEY FOR PLAINTIFF	David Kadin and Patricia Law
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>This is a civil action brought by Renee Hurtado, Andrea Hurtado, Elana Hurtado, Fanny Hurtado, Joel Hurtado and Diana Hurtado Zapata, the surviving family of Jose Hurtado who died at Harbor/ UCLA Medical Center ("HUMC").</p> <p>On July 15, 2007, Jose Hurtado was severely injured in a paragliding accident. He was taken to HUMC. The staff evaluated Mr. Hurtado and planned to perform a special diagnostic procedure.</p> <p>During the procedure, the patient began demonstrating difficulty in breathing. In spite of the HUMC staff's efforts to save the patient, the patient died on the same day.</p>

Mr. Hurtado's family filed a medical malpractice action against the County of Los Angeles alleging that the HUMC staff failed to properly intubate the patient prior to performing the diagnostic procedure.

PAID ATTORNEY FEES, TO DATE

\$43,852.65

PAID COSTS, TO DATE

\$23,850.07

# Summary Corrective Action Plan



Date of incident/event:	July 15, 2007
Briefly provide a description of the incident/event:	On July 15, 2007, Jose Hurtado was severely injured in a paragliding accident. He was taken to Harbor/UCLA Medical Center. The staff evaluated Mr. Hurtado and planned to perform a special diagnostic procedure. After the procedure was performed, Mr. Hurtado began demonstrating difficulty in breathing. In spite of the staff's efforts to save him, Mr. Hurtado died the same day.

1. Briefly describe the root cause of the claim/lawsuit:

- Failure to intubate prior to angiography

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- Appropriate personnel corrective actions were done

3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- ☐ Potentially has County-wide implications.
- ☐ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) <i>W. McKenzie</i>	Date: 7/14/09
Signature: (Interim Chief Medical Officer) <i>R. Spauls</i>	Date: 7/16/09
Signature: (Interim Director) <i>G. Sturman</i>	Date: 7-17-09